

Section 602, Title 14, California Code of Regulations is **ADDED** to read:

§ 602. Shared Habitat Alliance for Recreational Enhancement.

(a) Definition and scope: A Shared Habitat Alliance for Recreational Enhancement, (hereafter referred to as SHARE) is an area of private lands on which a landowner or their designee has voluntarily allowed the public to engage in wildlife-dependent recreational activities on the property.

(b) Landowner enrollment process:

(1) Application form: Applicants enrolling in the SHARE program shall submit a completed application, Form FG858 (09/2011), and accompanying additional documentation to the department, at the address specified on the application:

(2) Applicants shall be individuals or corporate landowners or their designees;

(3) Applications submitted by the person(s) other than the landowner shall be approved and signed by the landowner(s);

(4) Landowners may be compensated for enrollment in the program as described in Section 1573, Fish and Game Code.

(c) Permitted uses:

(1) Hunting. Every person hunting on a SHARE property shall have in their possession a valid California hunting license, an appropriate tag or seal and a SHARE access permit.

(2) Fishing. Every person fishing on a SHARE property shall have in their possession a valid California fishing license, appropriate report card and a SHARE access permit; and

(3) Recreational wildlife observation. Every person who uses a SHARE property primarily for recreational wildlife observation shall have in their possession a SHARE access permit.

(4) SHARE property landowners or their authorized representatives are not required to have in their possession a SHARE access permit at any time.

(d) Every person engaged in a wildlife-dependent recreational activity on a SHARE property shall follow all provisions of the Fish and Game Code and regulations adopted pursuant to the Fish and Game Code that are applicable to that activity.

(e) Public use application process:

(1) The department shall enter applications for SHARE opportunities into a random drawing for a SHARE access permit or issue a permit upon payment of the non-refundable application fee of ten (\$10) dollars and the base fee as adjusted under Fish and Game Code, Section 713 for subsequent license years.

(A) The department will define each SHARE opportunity and specify the property, activity, timeframe and other special limitations for which applicants can apply.

(B) Applications for a SHARE opportunity will be entered into a random drawing when the number of applications exceeds the number of SHARE access permits available per recreational opportunity.

(C) Draw-by-Choice Drawings. SHARE access permits may be awarded for each opportunity through a random draw according to an application computer-generated random number. An application assigned a lower number will be chosen over an application assigned a higher number.

(D) Applications received after the advertised deadline will not be entered into the drawing.

(2) The department may allow party applications for SHARE access permits on SHARE properties that can support more than six (6) access permits per recreational opportunity. The department will set party size limits. In random drawings parties will receive a single random number and access permits will be awarded as described in subsection (e)(1)(C). Party applications shall not be split to meet the quota of access permits if the number of party members exceeds the number of available access permits. Party applications which exceed the number of available access permits shall be bypassed until the quota of access permits is reached.

(3) SHARE access permits and fees are non-refundable and non-transferable.

(4) Area specific rules, if any, will be provided to applicants prior to any drawing held to issue SHARE access permits.

(f) Access Permits:

(1) Permit holders may enter or exit the SHARE area only at designated locations and only within the timeframe authorized in their access permit.

(2) Permit holders accessing SHARE program lands shall be required to sign a waiver, Form FG-859 (09/2011), that releases the department or any private group, nonprofit organization, governmental entity, or other organization involved in administering the program, and the private landowner, from liability for any injury or damage that arises from, or is connected with that person's use of the land.

(g) Pursuant to Fish and Game Code Section 857, Department Law Enforcement personnel may enter any SHARE program land at any time for law enforcement purposes.

(h) Agreement Cancellation: the department or landowner may cancel a SHARE agreement and any associated permits or opportunities, without cause at any time. In the event of SHARE opportunity cancellations, any issued permits or drawings for unissued permits will be cancelled and access permit holders will be notified.

Note: Authority: Sections 702, 1572 Fish and Game Code. Reference: Sections 1570, 1571, 1573, and 1574 Fish and Game Code.